

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**THE PRIME INSURANCE
SYNDICATE, INC.,**

Plaintiffs,

VS.

**CLAUDE J. ZITO d/b/a LEVEL HOME
ESTATES, et al.,**

Defendant.

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CV-2:08CV185-WKW

ANSWER TO COMPLAINT FOR DECLARATORY JUDGMENT

_____ **COME NOW** the Defendants, Bernie Keys and Katie Keys, and Answer the Complaint
for Declaratory Judgment, as above styled, as follows:

1. Admitted;
2. Admitted;
3. Admitted;
4. Admitted;
5. Admitted;
6. Admitted;
7. The Defendants are without sufficient knowledge or information to admit or deny
egation;
8. Admitted;
9. The Defendants are without sufficient knowledge or information to admit or deny

this allegation;

this allegation;

10. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

11. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

12. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

13. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

14. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

15. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

16. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

17. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

18. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

19. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

20. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

21. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

22. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

23. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

24. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

25. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

26. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

27. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

28. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

29. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

30. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

31. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

32. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

33. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

34. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

35. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

36. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

37. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

38. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

39. The Defendants are without sufficient knowledge or information to admit or deny this allegation;

40. Admitted;

41. Admitted;

42. Admitted;

43. Admitted;

44. Denied;

45. Denied;

46. Admitted;

47. The Defendants admit that Prime Insurance Sydnicate Inc seeks a declaration but denies that it is entitled to the relief requested;

48. The Defendants admit that the Plaintiff request relief but denies that the Plaintiff is entitled to the relief requested;

49. The Defendants admit that the Plaintiff request relief but denies that the Plaintiff is entitled to the relief requested.

GENERAL AND AFFIRMATIVE DEFENSES

1. The Defendants herein deny that the Plaintiff is entitled to the declaratory relief requested and demands strict proof thereof.

2. The Defendants allege that the statute of limitations bars the Plaintiffs claims.

3. The Defendants allege that the Plaintiff has waived its claims based upon engaging in the litigation process.

4. The Defendants allege that the Plaintiff's claims are without merit and due to be dismissed.

Respectively submitted,

/s/ Richard F. Horsley
Richard F. Horsley
Attorney for Plaintiff

OF COUNSEL:
KING, HORSLEY & LYONS
1 Metroplex Drive, Suite 280
Birmingham, Alabama 35209
(205) 871-1310

CERTIFICATE OF SERVICE

_____ I hereby certify that I have served a copy of the above and foregoing Answer on all counsel of records listed below by placing a copy of same in the United States Mail, first class, postage pre-paid on this the 3rd day of April, 2008.

/s/ Richard F. Horsley
OF COUNSEL

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